

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

KARA SCHAUFL

Plaintiff,

Case No. 3:24-cv-273

vs.

ESTES EXPRESS LINES, INC.,

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

Defendant.

ORDER: (1) OVERRULING PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S ORDER; AND (2) REQUIRING THE PLAINTIFF TO RESPOND TO THE DISCOVERY REQUESTS IDENTIFIED IN THE MOTION TO COMPEL DISCOVERY (Doc. No. 14) ON OR BEFORE SEPTEMBER 12, 2025

This is a civil case in which Plaintiff Kara Schauf alleges personal injuries against Defendant Estes Express Lines, Inc. Doc. No. 1. The case is before the Court on an Order issued by the United States Magistrate Judge Peter B. Silvain, Jr. (Doc. No. 26), to whom this case was referred pursuant to 28 U.S.C. § 636(b) and Dayton General Order 22-01.¹ Judge Silvain issued an Order granting Defendant's motion to compel. Doc. No. 26. Judge Silvain's Order alternatively allowed Plaintiff to file a motion to amend her complaint by July 21, 2025 for the purpose of giving her a chance to withdraw her emotional distress claim and, therefore, not be compelled to produce the requested records. Doc. No. 26. If Plaintiff did not file a motion to amend her complaint, she was ordered to produce the records at issue in Defendant's motion to compel on or before August 4, 2025. Doc. No. 26.

¹ See <https://www.ohsd.uscourts.gov/content/general-orders-ohio-southern-district>.

Plaintiff filed an objection to the Order and an application to stay, arguing the Order did not provide her with the full fourteen-day period to file objections. Doc. No. 27. Defendant filed a memorandum in opposition and an application to stay. Doc. No. 28. The Court granted Plaintiff's application to stay, and in doing so, provided Plaintiff a full fourteen days within which she could object to the Order. Doc. No. 30. *See* Fed. R. Civ. P. 72(a).

In anticipation of Plaintiff's objection, Defendant filed a memorandum in opposition of Plaintiff's "unfiled objection" to the Order. Doc. No. 33. Plaintiff filed a reply in support of her objections to Judge Silvain's Order. Doc. No. 35. As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(a), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all filings in this matter, including Plaintiff's objections, Defendant's responses, and Plaintiff's reply.

Upon careful *de novo* consideration of the foregoing, the Court determines that Judge Silvain's Order sets forth the applicable law, is well reasoned, and that Plaintiff's objections should be overruled. Accordingly, it is hereby **ORDERED** that: (1) Plaintiff's objections are **OVERRULED**; and (2) Plaintiff is **ORDERED** to respond to the Defendant's discovery requests identified in the motion to compel discovery (Doc. No. 14) on or before September 12, 2025.

IT IS SO ORDERED.

September 9, 2025

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge